

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Craig Januchowski, being duly sworn, depose and state that:

1. I am a Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”), and have been since 2008. I am currently assigned to the Columbia, South Carolina FBI Field Office and work on the Midlands Violent Crime Task Force. I have conducted numerous investigations of various types, including carjacking, felon in possession of firearms, bank robbery, etc. My duties involve the investigation of federal offenses, primarily violent crimes and narcotics offenses. I am a graduate of the FBI Academy. Prior to serving as an FBI Special Agent, I was a Cook County Sheriff’s Officer in Cook County, Illinois, which encompasses Chicago. During my tenure with the Cook County Sheriff’s Office, I served as a correctional officer for 2 years and as a patrolman/detective/investigator for almost 9 years. As part of those duties, I graduated from the Cook County Department of Corrections Academy, the Cook County Police Academy, and Chicago Police Department Detective Academy.

2. As a result of my training and experience as a FBI Special Agent, I am familiar with federal criminal laws and know that the following is a violation of 18 U.S.C. § 922 (g)(1). I am aware of the facts contained herein based upon my own investigation, as well as information provided to me by other law enforcement officers, both local and federal. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known by law enforcement concerning the incident outlined below.

3. Pursuant to my investigation, I spoke with investigators and officers with the Columbia Police Department and the following is a description of the events that took place on the early morning hours of Saturday, September 16, 2017.

4. On the early morning hours of Saturday, September 16, 2017, Columbia Police Department

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officers responded to a shooting outside Empire Supper Club, on Park Street, in Columbia, South Carolina. Upon arriving at the scene, officers learned that a number of individuals, including MALEIK HOUSEAL (“HOUSEAL”), black male, dob **/**/1995, had been shot.

5. Columbia Police Department officers secured the area and located numerous individuals who had been shot and also located numerous shell casings. One of the individuals who was immediately located by officers was HOUSEAL, who had been shot. As shown on the surveillance video from the area, HOUSEAL approached officers for assistance. HOUSEAL and others were transported to the local hospital.

6. During their investigation, Columbia Police Department officers located surveillance videos of the area surrounding the Empire Supper Club and reviewed them. A review of the surveillance videos shows numerous individuals leaving the Empire Supper Club after closing time, which was approximately 2:00am. HOUSEAL is one of the individuals seen leaving the club and walking down Park Street toward the parking lot between the Empire Supper Club and the Art Bar. The video shows HOUSEAL go around the corner of the Empire Supper Club building and then return back to Park Street, backing away from the parking lot area. HOUSEAL eventually turns around and walks back up Park Street toward Lady Street and is seen on the surveillance video adjusting a black handgun. The video clearly shows HOUSEAL, prior to the shooting incident, in possession of a black in color handgun, which he had concealed on his person. HOUSEAL then walks back down Park Street.

7. Thereafter, the video shows a vehicle, a Mustang, starting to pull out of the parking lot between the Empire Supper Club and the Art Bar when it stops before pulling out onto Park Street. The Mustang remains stopped for a moment. Then, as HOUSEAL walks back into sight, shots are fired from the Mustang, which then pulls out onto Park Street and heads toward Gervais Street. A

second vehicle, a Crown Victoria, follows and a shot is fired from that vehicle as it pulls out of the parking lot onto Park Street, headed toward Gervais Street. HOUSEAL returns fire toward the vehicles. Then, HOUSEAL is seen returning to the corner of the Empire Supper Club and ducking down in the area near some chairs outside. Thereafter, HOUSEAL limps up and down Park Street and within minutes officers arrived.

8. The owner of Empire Supper Club advised that after the shooting, a security guard with the club moved stacks of chairs back inside the club from where they had been stored outside the club. The owner advised that while the security guard was taking chairs off the stack one by one, he saw a handgun that appeared to have been stashed inside the stack of chairs. The security guard notified the club owner. Employees left the handgun in the chairs and the club owner notified the Columbia Police Department, who located a loaded Ruger 9mm handgun, black in color, with what appears to be a small laser sight attached, in the chairs.

9. As outlined earlier, HOUSEAL was transported to the local hospital. While at the hospital, HOUSEAL was advised of his Miranda rights by an officer with the Columbia Police Department. HOUSEAL waived those rights and agreed to speak with the officer. According to the officer, the statement was recorded via the officer's body camera. I have not had an opportunity to review the body camera footage, but have consulted with the officer concerning the interview. HOUSEAL advised that he was walking toward a car outside the club when he felt tension from people in a car. HOUSEAL advised that a person standing outside the car shot at him and then ran toward him. HOUSEAL advised that he wrestled the gun away from the person and as the person was returning to the vehicle, HOUSEAL advised he (meaning HOUSEAL) fired the gun at the vehicle. HOUSEAL advised that a second vehicle then pulled out from behind the first vehicle and that the vehicle struck him. HOUSEAL advised that he then hobbled back and officers found him when they responded to

the scene. When asked where the handgun was, HOUSEAL said he did not know. HOUSEAL's recount of the incident does not coincide with the surveillance video I that reviewed of the incident. Columbia Police Department also advised that they had swabbed HOUSEAL's hands for gunshot residue and that it has been sent for analysis.

10. Interstate Nexus of Firearm - On September 18, 2017, I made contact with Special Agent Richard Brown, ATF Nexus Expert, who advised that the Ruger 9mm handgun was a firearm as defined in 18 U.S.C. § 921(a)(3) and was not manufactured in the State of South Carolina. It was also Special Agent Brown's opinion, based on knowledge, research and experience that the firearm moved in interstate travel and therefore had traveled in and affected interstate commerce as defined in 18 U.S.C. § 921(a)(2).

11. Criminal History Record for HOUSEAL - I obtained a criminal history for MALEIK HOUSEAL and was able to determine that prior to September 16, 2017, HOUSEAL had been convicted of a crime punishable by imprisonment for a term exceeding one year in the state of South Carolina. Specifically, the Newberry County Solicitor's Office provided certified convictions showing that HOUSEAL had the following prior convictions:

- a) burglary 2nd degree (incident date April 4, 2012; Indictment # 12-GS-36-0792, sentenced February 29, 2016, to 6 years suspended upon the service of 30 months and 18 months' probation, credit for 82 days, concurrent);
- b) carrying or displaying firearms in public buildings or adjacent areas (incident date April 25, 2012; Indictment # 12-GS-36-0794, sentenced February 29, 2016, to 5 years suspended upon service of 30 months with 18 months' probation, credit for 82 days, concurrent);
- c) burglary 3rd degree (incident date June 12, 2012; Indictment # 12-GS-36-0844; sentenced February 29, 2016, to 5 years suspended upon 30 months with 18 months' probation, credit

for 82 days, concurrent); and

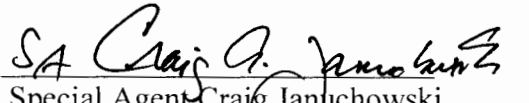
- d) possession with intent to distribute marijuana (incident date February 12, 2015; Indictment # 15-GS-36-0164; sentenced February 29, 2016, to 5 years suspended upon 30 months with 18 months' probation, credit for 82 days, concurrent).

Each of the aforementioned prior convictions is a crime punishable by imprisonment for a term exceeding one year in the state of South Carolina.

12. Pardon Query for HOUSEAL - On September 18, 2017, Julie Dunn of the South Carolina Department of Probation, Parole, and Pardon Services searched the pardon records. The search confirmed that HOUSEAL has not received a pardon for any of his prior South Carolina convictions.

13. Wherefore, based upon all of the information set forth in this Affidavit, I respectfully submit that there is probable cause to believe that MALEIK HOUSEAL did on or about September 16, 2017, violate 18 U.S.C. § 922(g)(1) by possessing a firearm after being convicted of a crime punishable by a term of imprisonment exceeding one year. In consideration of the foregoing, I respectfully request that this Court issue a criminal complaint and arrest warrant for MALEIK HOUSEAL.

Assistant United States Attorney Stacey D. Haynes has reviewed this affidavit.


Special Agent Craig Januchowski
Federal Bureau of Investigations

Sworn to and subscribed before me this 19th day of September 2017.


PAIGE J. GOSSETT
UNITED STATES MAGISTRATE JUDGE